UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

ROBERT HAHN,)Case No. 2:09-cv-03639-DRD-MAS
Plaintiff,)
vs.) NOTICE OF MOTION) FOR SUMMARY JUDGMENT
ONBOARD, LLC,)
Defendant.))

TO:

Clerk, United States District Court, District of New Jersey

Arthur Russell, Esq. 661 Franklin Avenue Nutley, New Jersey 07110 Attorney for Defendant

David C. Berg, Esq.
Law Offices of David C. Berg
425 Madison Avenue, 11th Floor
New York, New York 10017-1110
Attorney for Defendant

PLEASE TAKE NOTICE that on a date to be determined by the Court, Jeffer, Hopkinson & Vogel, Esq., attorneys for Plaintiff, Robert Hahn, will move before the Honorable Michael A. Shipp, United States Magistrate Judge, at the United States District Court, 50 Walnut Street, Newark, New Jersey, for an Order for

summary judgment dismissing defendant's counterclaim with prejudice and awarding judgment to plaintiff in the amount of \$30,000.00; and

TAKE FURTHER NOTICE that in support of the motion, the undersigned shall rely on the Memorandum of Law submitted in support of the Motion; the Statement of Material Facts Not in Dispute pursuant to Civ. Rule 56.1; the Affidavit of Melinda B. Maidens, Esq., with exhibits annexed; the written discovery and deposition testimony on the record in this action; and upon such other and further arguments, documents and grounds as may be advanced in the future; and

TAKE FURTHER NOTICE, that unless the Court, prior to the return date hereof, authorizes or directs otherwise, no testimony shall be taken at the hearing on the motion, except by certification or by affidavit; and

TAKE FURTHER NOTICE that this motion shall be deemed uncontested unless responding papers are timely filed and served.

Dated: September 21, 2010

Melinda B. Maidens, Esq. Attorney for Plaintiff 1600 Route 208 North

Hawthorne, New Jersey 07506

(MBM-8271)

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